



6560-50-P

ENVIRONMENTAL PROTECTION AGENCY

[FRL_9916-54-OEI]

Cross-Media Electronic Reporting: Authorized Program Revision Approval, State of North Dakota

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: This notice announces EPA's approval of the State of North Dakota's request to revise/modify certain of its EPA-authorized programs to allow electronic reporting.

DATES: EPA's approval is effective [INSERT DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

FOR FURTHER INFORMATION CONTACT: Karen Seeh, U.S. Environmental Protection Agency, Office of Environmental Information, Mail Stop 2823T, 1200 Pennsylvania Avenue, NW, Washington, D.C. 20460, (202) 566-1175, seeh.karen@epa.gov.

SUPPLEMENTARY INFORMATION: On October 13, 2005, the final Cross-Media Electronic Reporting Rule (CROMERR) was published in the *Federal Register* (70 FR 59848) and codified as part 3 of title 40 of the CFR. CROMERR establishes electronic reporting as an acceptable regulatory alternative to paper reporting and establishes requirements to assure that electronic documents are as legally dependable as their paper counterparts. Subpart D of CROMERR requires that state, tribal or local government agencies that receive, or wish to begin receiving, electronic reports under their EPA-authorized programs must apply to EPA for a revision or modification of those programs and obtain EPA approval. Subpart D provides standards for such approvals based on consideration of the electronic document receiving systems that the state, tribe, or local government will use to implement the electronic reporting. Additionally, § 3.1000(b) through (e) of 40 CFR part 3, subpart D provides special procedures for program revisions and modifications to allow electronic reporting, to be used at the option of the state, tribe or local government in place of procedures available under existing program-specific authorization regulations. An application submitted under the subpart D procedures must show that the state, tribe or local government has sufficient legal authority to implement the electronic reporting components of the programs covered by the application and will use electronic document receiving systems that meet the applicable subpart D requirements. Once an authorized program has EPA's approval to accept electronic documents under certain programs, CROMERR § 3.1000(a)(4) requires that the program keep EPA apprised of any changes to laws, policies, or the electronic document receiving systems that have the potential to affect the program's compliance with CROMERR § 3.2000.

On January 31, 2013, the North Dakota Department of Health (ND DOH) submitted an amended application titled “Electronic Reporting Information System” for revisions/modifications of its EPA-approved electronic reporting program under its EPA-authorized programs under title 40 CFR to allow new electronic reporting. EPA reviewed ND DOH’s request to revise/modify its EPA-authorized programs and, based on this review, EPA determined that the application met the standards for approval of authorized program revisions/modifications set out in 40 CFR part 3, subpart D. In accordance with 40 CFR 3.1000(d), this notice of EPA’s decision to approve North Dakota’s request to revise/modify its following EPA-authorized programs to allow electronic reporting under 40 CFR Parts 51, 60-63, 70, 122, 146, 262, 264-266, 268, 270, 280, and 403, is being published in the *Federal Register*:

Part 52 - Approval and Promulgation of Implementation Plans;

Part 62 - Approval and Promulgation of State Plans for Designated Facilities and Pollutants;

Part 70 - State Operating Permit Programs;

Part 123 - EPA Administered Permit Programs: The National Pollutant Discharge Elimination System;

Part 147 - State Underground Injection Control Programs;

Part 272 - Approved State Hazardous Waste Management Programs; and

Part 281- Approval of State Underground Storage Tank Programs;

Part 403 - General Pretreatment Regulations for Existing and New Sources Of Pollution.

ND DOH was notified of EPA’s determination to approve its application with respect to the authorized programs listed above.

Dated: August 27, 2014.

Matthew Leopard,

Acting Director, Office of Information Collection.

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